

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MYRA ANN LAVERGNE	§	
Plaintiff	§	
	§	
V.	§	1:05-CV-356
	§	
HCA CORPORATION,	§	
KINGWOOD MEDICAL CENTER,	§	
CINDY MEADOR, and	§	
SUZANNE PILETTE	§	
Defendants	§	

ORDER RE PARTIES' RULE 26(f) CONFERENCE

On July 12, 2005, the court ordered parties to conduct a scheduling conference pursuant to Fed. R. Civ. P. 26(f). Parties were directed to confer no later than August 8, 2005, and file a joint written report outlining proposed deadlines no later than August 15, 2005. Docket No. 7. To date, parties have not filed a 26(f) Report.

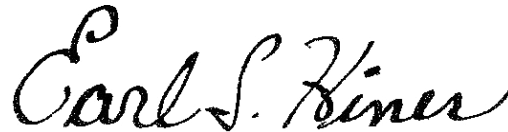
Plaintiff, who is proceeding *pro se*, contacted the court's chambers to advise the court that she contacted defense counsel multiple times regarding the Rule 26(f) conference. Plaintiff stated that each time she contacted defense counsel, counsel had been unavailable and unable to schedule a time for the conference.

Federal Rule of Civil Procedure 16(f) provides that, when a party fails to obey a scheduling or pretrial order, "the judge, upon motion or the judge's own initiative,

may make such orders with regard thereto as are just.” The court finds that issuing a scheduling order, absent parties’ 26(f) report, is appropriate in this case. It is therefore

ORDERED that the court’s scheduling order, entered separately, will set all pretrial deadlines for this case.

SIGNED this 25th day of August, 2005.

A handwritten signature in cursive script, reading "Earl S. Hines". The signature is written in black ink and is positioned above a horizontal line.

Earl S. Hines
United States Magistrate Judge